

IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

AP/137/2025
SRI SANTOSH GUPTA AND ORS.
VS
SRI SUBRATA SANYAL AND ORS.

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date: 18th August, 2025.

Appearance:

Mr. Nilanjan Bhattacharjee, Sr. Adv.
Mr. Abhilash Chatterjee, Adv.
...for petitioners.

Mr. Bratin Kr. Dey, Adv.
Ms. Anjana Banerjee, Adv.
Mr. Subhankar Banerjee, Adv.
...for respondent No.1.

Mr. Animesh Das, Adv.
Mr. Dipankar Ghosh, Adv.
...for respondent Nos. 2 to 5.

1. By order dated August 4, 2025, this Court had arrived at the conclusion that the arbitration agreement was binding between the parties. The submissions of the parties were considered. Beyond such, prima facie, finding, the referral court was not required to delve deeper into the allegations and counter allegations made by the parties. However, upon deciding the matter at length, the Court was of the view that the application should be registered in the non commercial division.
2. Accordingly, the prayer for appointment of an arbitrator is allowed and AP/137/2025 is disposed of in terms of the order dated August 4, 2025,

by appointing Mr. Partha Pratim Ray, Senior Advocate, as an arbitrator, to arbitrate upon the disputes between the parties. This appointment is subject to compliance of Section 12 of the Arbitration and Conciliation Act, 1996. The learned Arbitrator shall fix his remuneration as per the Schedule of the Arbitration and Conciliation Act, 1996.

3. The application is disposed of.

(SHAMPA SARKAR, J.)